

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DOCKET No.

**JANEDA ROSSI,
Plaintiff,**

V.

VERIZON COMMUNICATIONS INC.

Defendant,

COMPLAINT WITH NO DEMAND FOR JURY TRIAL

JURISDICTION

The Court has subject matter jurisdiction pursuant to 28 U.S.C Section 1132(jurisdiction under Federal Law known as the Employee Retirement Income Security Act of 1974(ERISA)

Parties

1. The Plaintiff, Janeda Rossi is an individual that resides in Stoneham, MA Middlesex County.
2. The Plaintiff has been a participant in a long term disability plan as Defined by U. S.C 1132
3. The Defendant is a corporation in the business of telecommunications that acts as management of their employee`s Long Term Disability benefits and is a Plan Administrator as defined by 29 U.S.C section 1132.

4. The Defendant is duly organized in the Commonwealth of Massachusetts, Middlesex County and has offered, sold and provided Long Term Disability insurance policies to their employees
5. The Defendant is the administrator of the plaintiff's Long Term Disability plan
6. The Plaintiff has a valid Long Term Disability policy with the defendant.

FACTS

7. The Plaintiff was an employee of the defendant from 1996 thru 2017 in the customer service department.
8. The Plaintiff's job required her to possess sharp cognitive skills, the ability to communicate with customers and be efficient.
9. The Plaintiff developed Post Traumatic Stress Disorder while working for the Defendant.
10. The Plaintiff also has been diagnosed with hypertension, asthma, chronic obstructive pulmonary disease(COPD), osteoporosis, polycyst kidney disease and recurrent rib fractures
11. The Plaintiff was admitted for emergent care at the Bay Ridge Care for her PTSD.
12. The Plaintiff has been determined to be totally disabled from the material duties of her job by the Social Security Administration.
13. The Plaintiff has applied for LTD benefits with the defendant. The defendant has taken no action on the plaintiff's request for LTD benefits

14. The Defendant has acted in bad faith by refusing to process the Plaintiff's request for her LTD benefits.
15. The Defendant's actions in failing to process the plaintiff's LTD application were in bad faith, arbitrary, capricious and against the weight of the medical evidence
16. The Plaintiff continues to suffer from COPD and the PTSD
The Plaintiff is under the active care of Thomas C. Bond M.D for her PTSD and Dr. Sereno M.D for her COPD
17. On or about July 1st, 2019, the defendant did arbitrarily and capriciously refuse to process the plaintiff's LTD request for benefits
18. The Plaintiff remains disabled and qualified for her LTD benefits
19. The Plaintiff has no other Administrative remedies or appeals due to the bad faith of the defendant in refusing to process her LTD claim
20. The said arbitrary and capricious decision by the defendant to deny to process the plaintiff's request for LTD benefits is a breach of the contract by the defendant.

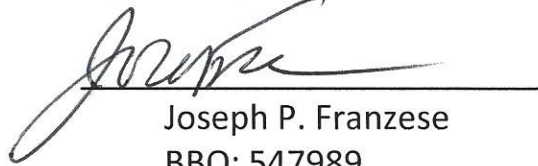
WHEREFORE, the Plaintiff seeks this Honorable Court review the above described conduct and administrative decision of the defendant to deny the Plaintiff's LTD benefits and requests that this Honorable Court So Order the Defendant, their agents, servants, assigns and plan administrators to award the Plaintiff her LTD benefits. The Plaintiff seeks an award of her Attorney's fees and costs pursuant to 29 U.S.C section 1132 et al., and any and all other just orders as deemed necessary.

Dated: January 13, 2020

Respectfully Submitted

Janeda Rossi

By her Attorney

A handwritten signature in black ink, appearing to read 'Joe Franzese', is written over a horizontal line.

Joseph P. Franzese

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